

REMARKS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office Action, and the following remarks are presented for the Examiner's consideration.

New claims 41-45 were added by amendment.

Claims 21, 23, 25, 30-31, 33, 35 and 40 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,721,783 to Anderson. For the following reasons, the rejection is respectfully traversed.

Regarding claims 21 and 31, Anderson does not teach "at least one hearing device comprising *a signal processing unit and an electro-acoustic transducer.*" Anderson is directed to a hearing device system (for example, see FIG. 1) having a remote processing unit ("RPU") (16) that is separate from an earpiece (10). The earpiece (10) includes a microphone (12), an RF transceiver (13) for transmitting an audio signal from the microphone to the RPU (16), and a speaker (15). However, the earpiece (10) does not include any signal processing unit, since the audio signal is transmitted to the RPU (16) for processing and then transmitted back to the earpiece (10) for output by the speaker (15).

Further, regarding claim 21, Anderson does not teach "means for receiving at least one of the plurality of audio signals....being comprised *in the at least one hearing device,*" and "means for receiving the configuration parameters being comprised *in said means for receiving at least one of the plurality of audio signals.*" As claimed, the means for receiving the configuration parameters must be *in* the means for receiving the audio signals, which in turn must be *in* the hearing device that contains the signal processing unit. By contrast, the Examiner cites the digital signal processor (948) that is located in the RPU of Anderson, as the "means for receiving the configuration parameters," which is clearly not contained in the

hearing device (earpiece) of Anderson. Therefore, Anderson does not anticipate the hearing device of claim 21, which requires the “signal processing unit,” the “means for receiving...audio signals” and the “means for receiving the configuration parameters” all be comprised *in* the hearing device itself.

For all of the above reasons, all of the limitations of claims 21 and 31 are not taught by Anderson as required. Therefore, it is respectfully requested that the rejection be withdrawn. Further, the rejection of dependent claims 23, 25, 30, 33, 35 and 40 should be withdrawn for the same reasons.

Claims 22, 28, 29, 32, 28 and 39 were rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson in view of U.S. Patent No. 6,091,826 to Laitinen. For the following reasons, the rejection is respectfully traversed. Each of these claims depends from respective claims 21 and 31. As explained above, all of the limitations of claims 21 and 31 are not taught by Anderson. Further, the teachings of Anderson in view of Laitinen fails to render obvious the limitations of which Anderson is deficient as described above. Therefore, claims 22, 28, 29, 32, 28 and 39 are nonobvious in view of the prior art of record, and the rejection should be withdrawn.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. TSW-32978.

Respectfully submitted,
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